UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:21-cv-455-MOC-DCK

XYAVIER CALLISTE,)	
Plaintiff,)	
vs.)	<u>ORDER</u>
CITY OF CHARLOTTE, et al.,)	
Defendants.)	
)	

THIS MATTER comes before the Court on two motions to dismiss, filed by Defendants City of Charlotte (Doc. No. 8) and Charlotte Mecklenburg police officer Xeng Lor (Doc. No. 9).

This is an action filed pursuant to 42 U.S.C. § 1983, in which Plaintiff alleges that

Defendant Lor used excessive force against Plaintiff. Plaintiff originally filed this action in state
court, and Defendants removed it to this Court on August 30, 2021. (Doc. No. 1). Defendants
City of Charlotte and officer Lor filed the pending motions to dismiss on November 5, 2021.

Plaintiff filed an Amended Complaint on November 19, 2021. (Doc. No. 10). Because Plaintiff
has filed an Amended Complaint, the pending motions to dismiss the original Complaint are
moot.

IT IS THEREFORE ORDERED that:

(1) Defendants' Motions to Dismiss, (Doc. Nos. 8, 9), shall be terminated as moot.

Signed: December 2, 2021